

GILA COUNTY BOARD OF ADJUSTMENT
Gila County Supervisors Conference Room
610 E. Highway 260, Payson, AZ
Gila County Community Development Conference Room
745 N. Rose Mofford Way, Globe, AZ

May 17, 2018
9:00 A.M.

A G E N D A

REGULAR MEETING

1. Call to Order
2. Pledge of Allegiance
3. Roll Call: Don Ascoli-Chairman, Mickie Nye, Mary Lou Myers, Terry Otts, Bill Marshall
4. Review and Approval of Minutes of the Board of Adjustment Hearing on April 19, 2018.

5. **Director/Planner Communication:**

At any time during this meeting of the Board of Adjustment, the Director and/or Planner of Community Development may present a brief summary of current events. No action may be taken.

Public Hearing:

V-18-01 Javelina Sky Development LLC/Woodshire at Elk Rim LLC :

Request to obtain an area wide variance for front, side, and rear setbacks for the recently recorded Elk Rim Subdivision in Pine, Arizona.

6. Adjournment

Information on the above case is available for review in the Gila County Community Development Department located at 745 N. Rose Mofford Way, Globe, Arizona during normal business hours or Gila County Community Development Office, 608 E. Hwy 260, Payson, AZ.

Pursuant to Arizona Revised Statutes, Section 38-431, the Board of Adjustment and Appeals reserves the right to adjourn into Executive Session for Legal Advice, concerning any of the above matters. The Board reserves the right to consider any matter out of order.



MINUTES OF THE GILA COUNTY

BOARD OF ADJUSTMENT

Thursday, April 19, 2018

GILA COUNTY BOARD OF SUPERVISORS CONFERENCE ROOM

610 E. Highway 260, Payson, AZ

GILA COUNTY COMMUNITY DEVELOPMENT CONFERENCE ROOM

745 N. Rose Mofford Way, Globe, AZ

9:00 A.M.

REGULAR MEETING

1. The meeting was called to order at 9:08 A.M. by Chairman Don Ascoli.
2. Pledge of Allegiance was led by Scott Buzan.
3. Roll Call: Therese Berumen did the roll call; Chairman Don Ascoli (in Payson), Terry Otts (in Globe), Mickie Nye (in Globe), and Mary Lou Myers (in Payson) are all present. Bill Marshall was absent. A quorum is present.

Community Development Staff Members Present: Scott Buzan-Director, Robert Gould-Planner, and Therese Berumen-Administrative Assistant.

Gila County Attorney's Office Present: Charles Shire.

Public Works Staff Members Present: Dennis Kroeger

4. Review and Approval of the Board of Adjustment Minutes on February 15, 2018. Chairman Don Ascoli asked if there were any changes needed to the minutes. No changes were suggested. Mary Lou Myers motioned that the minutes be approved as is and Mickie Nye seconded the motion. The motion was unanimously approved.
5. **Director/Planner Communication:** At any time during this meeting of the Board of Adjustment, Director Scott Buzan and/or Planner Robert Gould of Community Development may present a brief summary of current events. No action may be taken.

Robert Gould originally had an item he wanted to discuss, but after further review decided to withdraw that. Scott Buzan stated that he didn't have anything he wanted to discuss at this time.

Appeal:

6. **AV-18-01 Howard Kaiser:** An application was approved by the Community Development Division and appealed by Terry Knight.

Robert Gould presented the staff report overview. The Gila County Zoning Ordinance provides us with approvals for Administrative Variances under certain cases, such as extreme topography, unnecessary destruction of vegetation, close proximity to waterways, substandard size lots, and irregular shape of lots. The applicant's parcel is located in the R1L-D12 zoning district, which basically requires a minimum 12,000 square foot lot. This particular lot is 9,600 square feet, which makes it a substandard sized lot. There are also topographic and vegetation issues. The

normal side property line setback for this particular lot would be 9 feet and 7 feet for the rear property line setback. It was approved and appealed by Mr. Knight. Mr. Knight is concerned about the drainage onto his property. The applicant has agreed to put a gutter on the side that would run off on Mr. Knight's property, which would damage their property. The Public Works department has also looked at the application. Public Works deals with all drainage issues. I don't see a problem with the variance. Mary Lou Myers asked Robert Gould if the rear property line setback was 20 feet or 7 feet. Robert Gould stated that for a garage it is 7 feet and for a home it is 20 feet. Mickie Nye asked if the measurement is from the wall of the building or the eave. Robert Gould stated that it is the wall, not the eave. Mary Lou Myers stated that all the lots in this subdivision are small. Robert Gould stated that yes, they are all substandard lots. Mickie Nye stated that he thinks the biggest concern is that the issues with grading and drainage are answered. He doesn't want this to come back on the County 10 years down the road, if any damage would occur to Mr. Knight's property. Don Ascoli stated that he didn't have any pictures to judge the grade or the flow for himself. Mary Lou Myers stated that she had been by the property 3 times now and doesn't appear to her that the grade is that difficult. Robert Gould stated that he thinks it is an 8-9% grade. Mickie Nye stated that he trusts Robert Gould and Mary Lou Myers' opinion on the grade of the property and doesn't necessarily need pictures. Don Ascoli stated that he does trust their opinion as well, but it always helps to have photographs. Don Ascoli asked Robert Gould if all of Mr. Knight's questions were answered, from the email that he sent. Robert Gould stated that he was not answering any questions about liability, but also thought that Public Works needed to address those concerns and also stated that the grading and drainage review is usually done during the building permit process, not zoning process. Dennis Kroeger stated that he does not handle any variances, just grading and drainage issues. I did go to Mr. Kaiser's property when he submitted the Pre-Development Information Request and look at where he wanted to place the garage. I also looked at the earth and materials he was planning on using, and the natural drainage he would be disturbing. We discussed numerous things and a solution was brought up about putting the gutter on the garage. He has a natural drainage from his property all the way down to the street. We discussed several issues for what he needed to do to manage the water on his property, without going onto the neighbors. He understood what I was talking about and I don't see any problems with the installation as he wants it. Don Ascoli asked Dennis Kroeger if he could answer any of the questions in Mr. Knight's email. Dennis Kroeger stated that most of those questions pertain to variances, but he did state that it is hard to speculate what would happen after the project is completed because there hasn't been any rain. Mr. Kaiser asked Dennis Kroeger if the plans will be reviewed by his department and Dennis Kroeger stated that yes they will be. Dennis Kroeger also stated that you can plan and review anything, but ultimately mother nature has the final say so. Mickie Nye asked staff if the applicant went from a variance request of 5 feet to 7 feet, would there be any difference in water impact to anybody else's property. Robert Gould stated that he believes it would not make a difference and reinstated that every department has to approve this project. It starts out in zoning and then other departments, such as wastewater and building have to approve it as well. Dennis Kroeger stated that after this project would be completed, if Mr. Knight had concerns because the drainage was running onto his property, he could make a complaint and then he would go and inspect it and they would figure out how to correct the situation.

The meeting was opened to public comment. Terry Knight stated that he did not have a major issue with Mr. Kaiser putting the structure on the property, but had concerns about the drainage onto his property, since he lives right next door. He would just like to see something done prior to the construction, so they don't have to come back later and fix anything. He also stated that

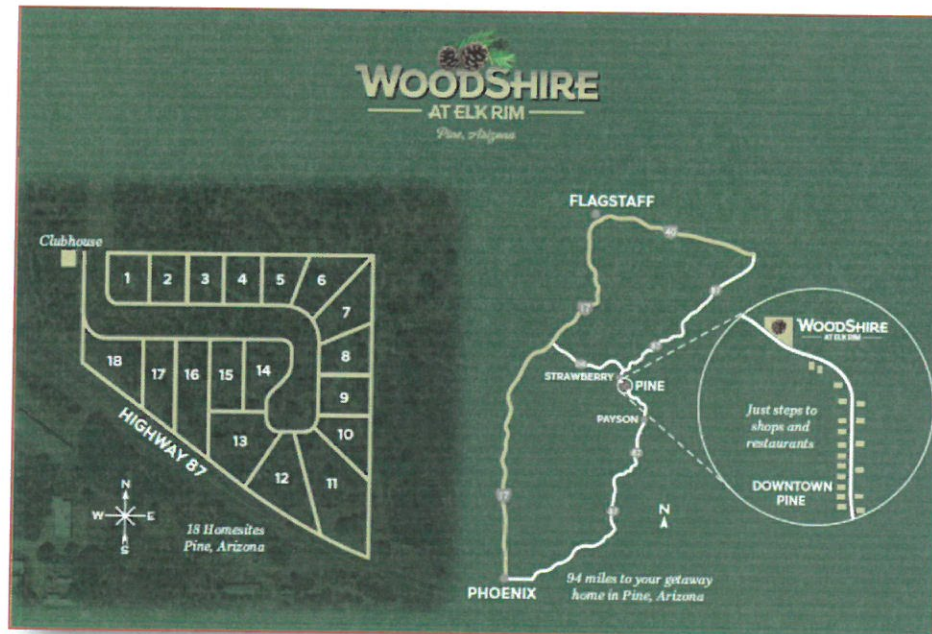
he just wanted a better understanding of how the process works. Scott Buzan stated that if the Board approved the zoning application today, then the building plans and site plan would be submitted to Community Development. The department would then issue a Pre-Development Information Request, which goes to Grading and Drainage, Floodplain, Wastewater and the Building Department. All of these departments will look at the site plan and application to address any comments they may have. It then goes back to the applicant to see if they would like to proceed with their project. We then take in the plans and start processing it. Every department would then do what they needed to do after the permit is issued. So, all these agencies are involved from start to finish, until the project is through the final stage. Once it is finalized, to the best of our ability, we should have all these things taken care of. Now, if something would happen, like mother nature and we find that the drainage has changed, then we could receive a complaint and grading and drainage would go out and see what could be done to correct the situation. The plans that are taken in are a best guess, in a sense because we do not know what the future would bring. Basically, we have several departments that follow this project through from start to finish to make sure when the project is finalized, everything is in line. No other public comments. The public comment portion of the meeting was closed.

Mickie Nye motioned to deny the appeal. The motion was seconded by Mary Lou Myers. The motion was unanimously approved.

7. Adjournment. Mary Lou Myers made a motion to adjourn the meeting and Terry Otts seconded the motion. The motion to adjourn was unanimously approved at 9:43 A.M.



VARIANCE APPLICATION V-18-01
ELK RIM SUBDIVISION
RICK VESCI
301-69-196 & 197



Board of Adjustment Hearing
May 17, 2018
610 East Highway 260, Payson, AZ

VARIANCE V-18-01
RICK VESCI
ELK RIM SUBDIVISION
PINE, AZ

PURPOSE

The applicant is seeking to obtain an area-wide variance on setback requirements for the eighteen lot Elk Rim Subdivision. This is a small lot subdivision and does need some creative development solutions due to the topography, lot configuration and size. The developer is attempting to locate the structures to improve marketing and potential environmental damage.

INFORMATION

Parcel # 301-69-196 & 197
Pine, Arizona

Zoning TR (Transitional Residential)

Comprehensive Plan (Multi-Functional Corridor)

Parcel Size 2 parcels for a total of 4.0 acres and now 18 residential lots

Existing Land Use

This Parcel is currently undeveloped, but is being developed as a single family residential subdivision that was recently approved by the Board of Supervisors.



APPLICABLE REGULATIONS

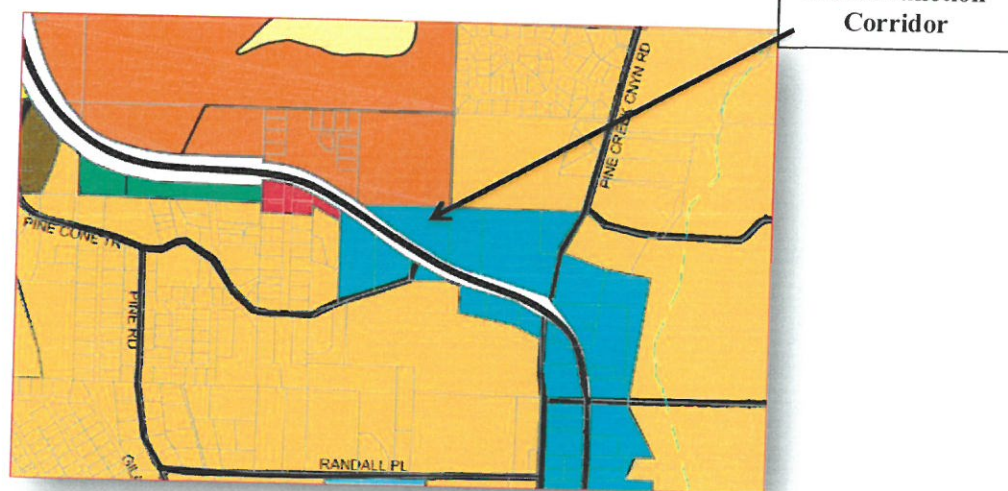
POWERS AND DUTIES (BOARD OF ADJUSTMENT)

- A. The Board of Adjustment may interpret the Zoning Ordinance when the meaning of any word, phrase, or section is in doubt, when there is a dispute between the appellant and enforcing officer, or when the location of a district boundary is in doubt.
- B. The Board of Adjustment may allow a variance from the terms of the Ordinance when, owing to particular conditions, a strict interpretation would work an unnecessary hardship, if in granting the variance the general intent of the purposes of the Zoning Ordinance will be preserved.
- C. The Board of Adjustment may hear and decide variances from the terms of this Zoning Ordinance because of special circumstances applicable to the property, including its size, shape, topography, location or surroundings where the strict application of the provisions of this Zoning Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. Any variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which property is located.

CURRENT SETBACK REQUIREMENTS

1. Setback requirements in the TR zoning district from the front property line is 20 feet, rear property line is 20 feet, side property line are 7 feet and 9 feet.
2. Density districts shall be established in order to maintain a desirable amount of open space and regulate the intensity of use within conventionally designed, detached single-family residential subdivisions or those unplatted areas primarily devoted to detached single-family residential use. (Gila County Zoning Ordinance Section 104.8)

CURRENT COMP PLAN

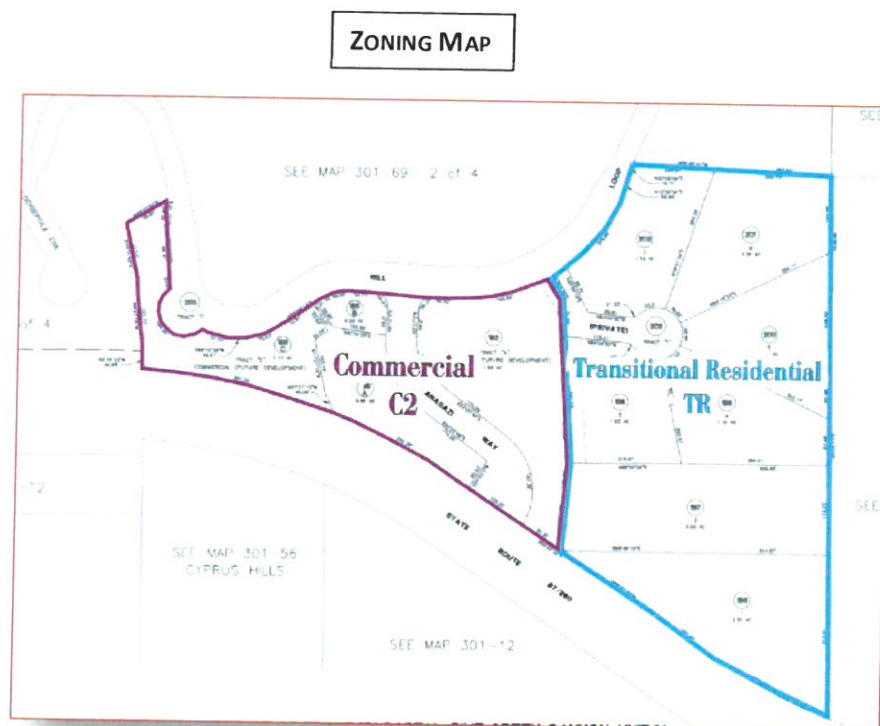


The entire area of the subdivision is dedicated as a Multi-Function Corridor in the Gila County Comp Plan:

Multi-Functional Corridor: The Multi-Functional Corridor category denotes areas of the county that are located adjacent to a primary transportation route and where a mixture of land uses are desirable based upon the specific locational characteristics of the land. The Multi-Functional Corridor category is designed to capitalize on the land use opportunities resulting from proximity to and visibility of a primary vehicular transportation corridor. The uses permitted in the Multi-Functional Corridor category are intended to respond to the unique opportunities, scale and functions that exist in the different areas of the county. Development in this category typically occurs on lots that are wide and shallow due to the linear nature of the adjacent transportation facilities. The potential negative impacts of a linear development pattern, if any, should be addressed through site planning, buffering and after design considerations. Additional uses permitted within the category shall include farming, ranching and those uses otherwise permitted by state statute.

AREA ZONING MAP

The zoning districts for the area consist of Commercial and Transitional Residential as shown on the map below:



BACKGROUND

Elk Rim Subdivision was recorded with the Gila County Recorder's Office on March 14, 2018. None of the lots within this subdivision can be further divided and still comply with zoning requirements.

ANALYSIS

It is important when considering whether a variance should or should not be granted to keep in mind our current regulations for the granting of a variance.

- 1. The Board of Adjustment may allow a variance from the terms of the Ordinance when, owing to particular conditions, a strict interpretation would work an unnecessary hardship, if in granting the variance the general intent of the purposes of the Zoning Ordinance will be preserved.*

The appropriate questions to ask in this case include:

1. What is the particular condition that necessitates that buildings need to be placed in certain locations?
2. What is the unnecessary hardship to the applicant?
3. Does the granting of this variance maintain the general purpose of the Zoning Ordinance?

All three of the above questions should be answered positively during deliberations on whether to grant a variance.

1. Particular Conditions:

This subdivision has significant topographic issues. There is approximately a fifty (50) foot drop from the northern part of this site to the southern part of the overall site.

There are several lots with unusual configurations due to cul-de-sacs or street intersections.

2. The topography and lot configuration creates situations where there is a necessity to be creative if they desire to have an attractive subdivision that fits into the area.
3. The granting of this variance does not affect the overall intent and purpose of the Zoning Ordinance. The applicant will maintain at least 14 feet in total side yard setbacks and 15 feet in front and rear yard setbacks. Under the requirements for an administrative variance staff has the right to relieve an applicant of up to 50% of the required setback. The reason we are going through the normal variance process is that the applicant may have a three (3) foot side setback which is six (6) inches more that we can do administratively.

EXAMPLE OF TOPOGRAPHY



EXAMPLE OF PLANNED HOME



RECOMMENDATION

Staff recommends that the Board of Adjustment approve this area-wide variance as follows:

I move to approve application V-18-01 submitted by Rick Vesce for Elk Rim Subdivision as follows:

1. Rear setbacks shall be no closer than 15 feet from the rear property line.
2. Front setbacks shall be no closer than 15 feet from the front property line.
3. Both side setbacks shall maintain a minimum total setback of 14 feet from the side property lines.
4. Under no circumstance shall a side setback be less than three (3) feet from the side property line. Distance will be measured from eave.
5. Under no circumstance shall a housing unit on one lot be closer than 10 feet from a housing unit on an adjoining lot. Distance will be measured from eave to eave.

Date of Legal Publication:
Hearing Date:

Posting Date:
Approved: Denied: _ Appealed: _

Gila County Community Development Division Planning & Zoning Department
VARIANCE APPLICATION FORM
BOARD OF ADJUSTMENT AND APPEALS

Date: **4-23-18** Case File No.: **V-18-01**



Applicant Name: **Javelina Sky Development LLC/Woodshire at Elk Rim LLC** Phone No.: **928-978-2060**
Mailing Address: **PO Box 1195 Pine AZ 85544** Signature: 

Owner's Name: **Javelina Sky Development LLC** Phone No.: **928-978-2060**
Mailing Address: **PO Box 1195 Pine AZ 85544** Signature: 


(If the applicant is not the owner of the subject property, the owner must sign the application authorizing the applicant to apply.)

Property Address: **Parcels 301-69-196 and 301-69-197 which have been subdivided into 18 lots (Elk Rim)**
Legal Description: **See attached** Zoning of Property: **TR**

Applicant's Description of Variance Request: **We are requesting a slight variance of setbacks to site new homes on the 18 lots (see attached site plans) in such a way to accommodate access to rear garages and to site homes to maximize esthetics, views and privacy. We will maintain the required 14-foot distance between homes and some rear setbacks will not be affected.**

A minor of 10' 
A minor of 10' 

Applicant's Justification for a Variance: **We will maintain the required 14-foot distance between homes and some rear setbacks will not be affected. Also, the subdivision will be enhanced with rear garages and homes situated in order maximize esthetics, views and privacy. ALSO, TOPOGRAPHY IS CHALLENGING AND**

WILL JUSTIFY VARIANCE FROM STANDARD SETBACKS. 

Attach a reproducible 8 1/2" x 11" site plan showing: scale; north arrow; all lot dimensions; adjacent streets and names; all existing and proposed buildings and structures, driveways, alleys, easements, water and utility services, septic tanks and leach fields, fences, and drainage ditches; significant trees and vegetation; and, extreme topographical conditions. Show all dimensions of existing and proposed buildings and structures, and distances between buildings. Label property' lines (i.e. front, rear, side) and show the dimensions of the setbacks. Show the proposed feature which is the subject of the variance request.

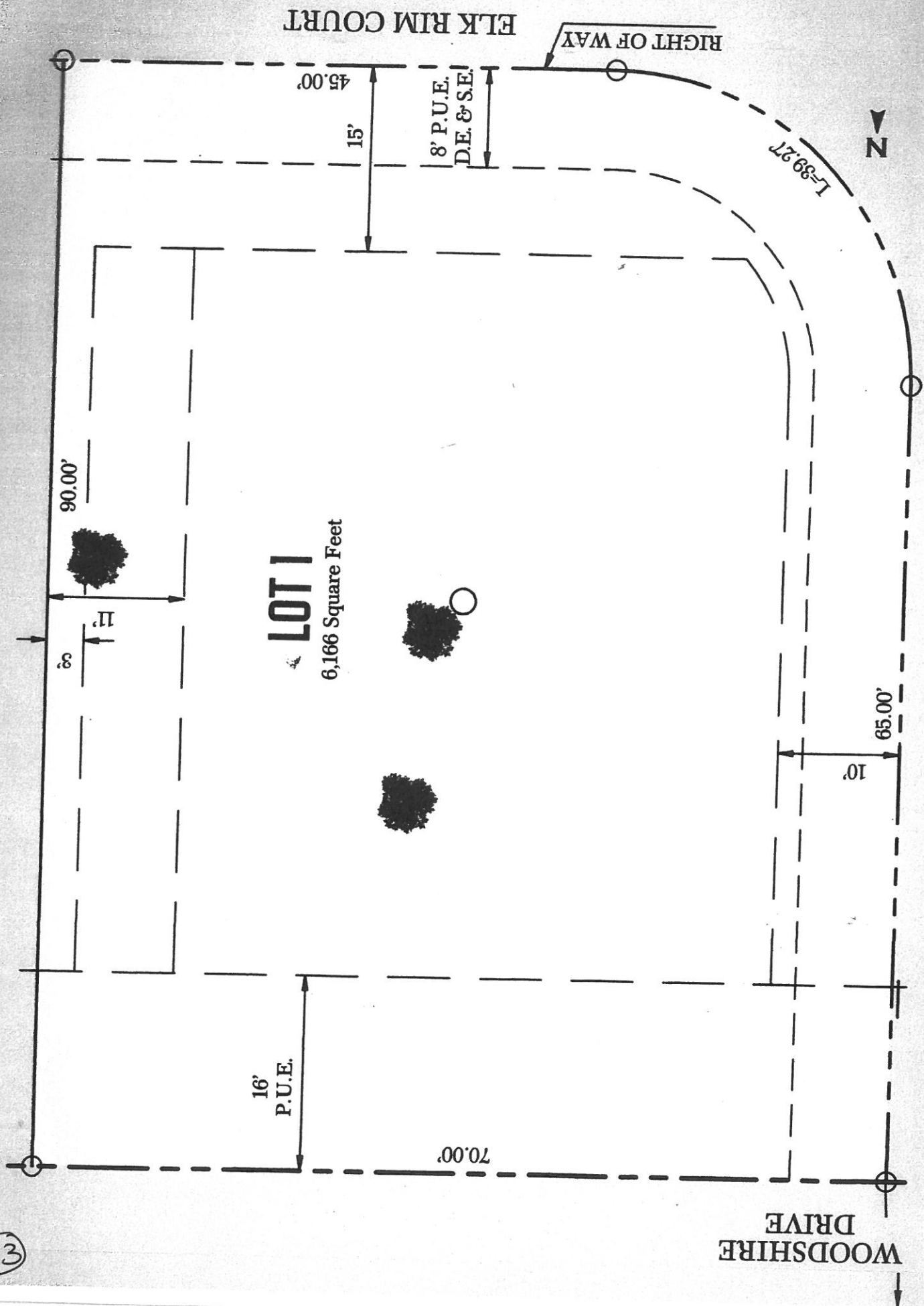
FOR OFFICE USE ONLY

\$300.00 fee received: Check No. _____ Cash: _____ Date: _____

Inspector's Report and Pictures Done: _____

Date of Legal Publication: **5/2/18** Posting Date: **5/2/18**

Hearing Date: **5/17/18** Approved: _____ Denied: _____ Appealed: _____ Approved: _____



N

ELK RIM COURT

RIGHT OF WAY

67.00'

15'

8' P.U.E.
D.E. & S.E.

LOT 2

6,030 Square Feet

90.00'

11'

3'

90.00'

11'

3'

16'
P.U.E.

67.00'

RIGHT OF WAY

ELK RIM COURT

N

67.00'

15'

8' P.U.E.
D.E. & S.E.

LOT 3

6,030 Square Feet

90.00'

90.00'

16'
P.U.E.

67.00'

15

RIGHT OF WAY

ELK RIM COURT

N

67.00'

15'

8' P.U.E.
D.F. & S.E.

90.00'

11'

3'

10' P.U.E.

LOT 4

6,030 Square Feet

90.00'

11'

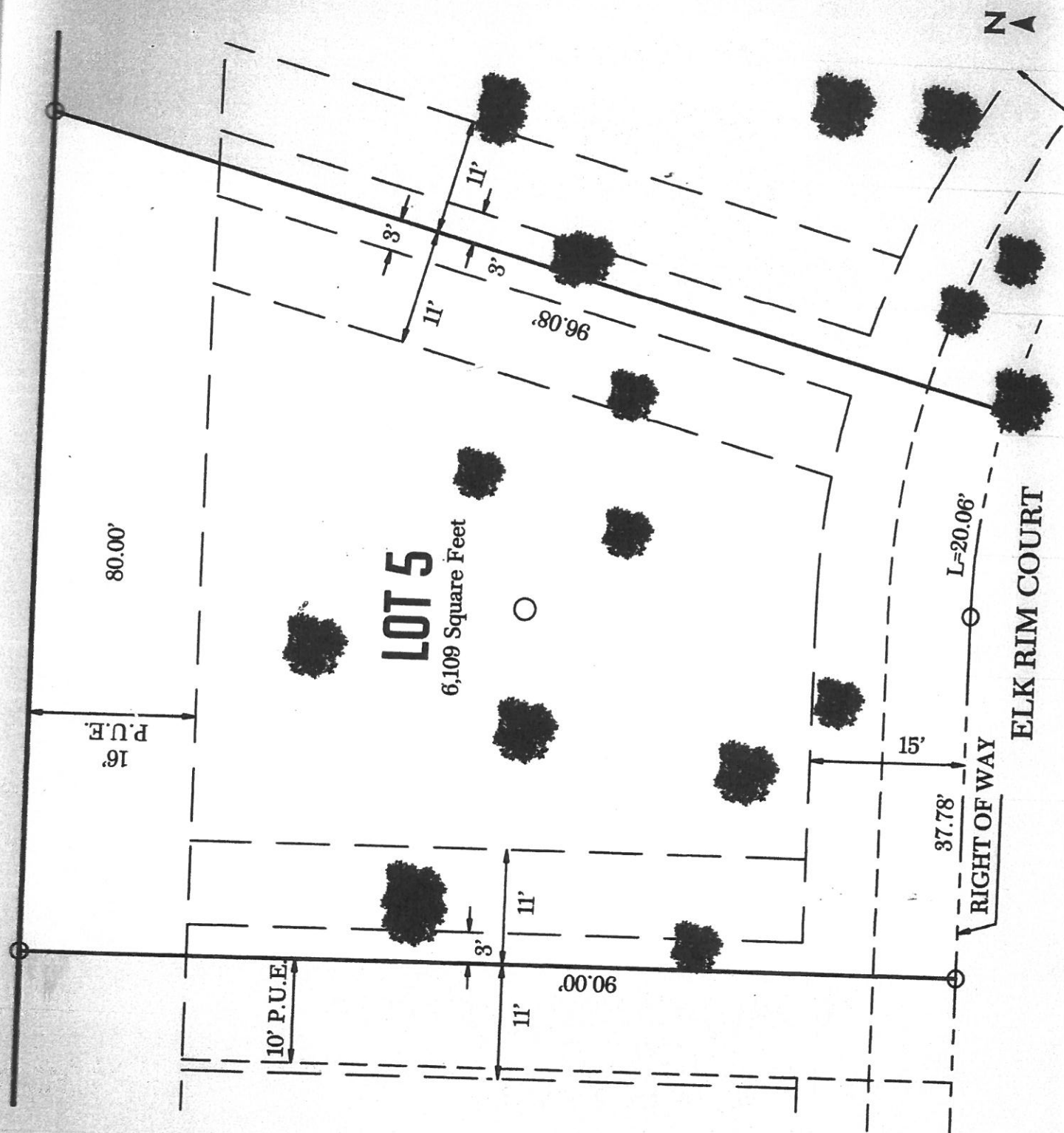
3'

3'

16'
P.U.E.

67.00'

(16)





N

58.05'

16'
P.U.E.

P.U.E.

LOT 8

6,116 Square Feet

100.42'

8' P.U.E.
D.E. & S.E.

90.00'

25.71'

L=23.46'

ELK RIM COURT

15'

15'

3'

11'

3'

11'

11'

3'

11'

20

N

67.00'

16'
P.U.E.

P.U.E.

LOT 9

6,030 Square Feet

8' P.U.E.
D.E. & S.E.

15'

67.00'

ELK RIM COURT

RIGHT
OF WAY

90.00'

90.00'

11'

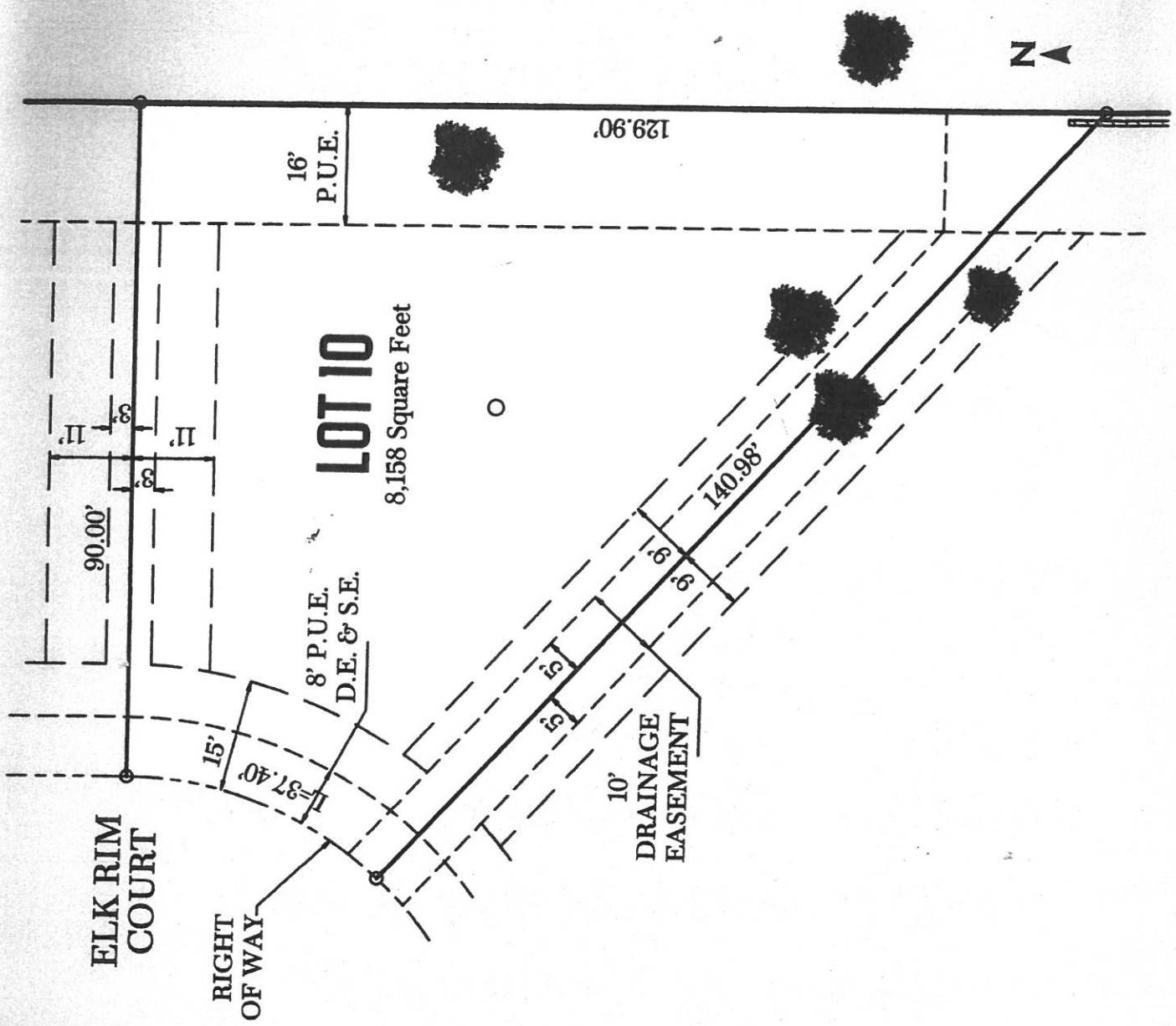
11'

11'

3'

3'

3'



ELK RIM
COURT

RIGHT
OF WAY

L=35.40'

15'

8' P.U.E.
D.E. & S.E.

10'
DRAINAGE
EASEMENT

10'

10'

140.98'

LOT 11

14,686 Square Feet



16' P.U.E.

100.16'

DRAINAGE
EASEMENT

15'

DRAINAGE
EASEMENT

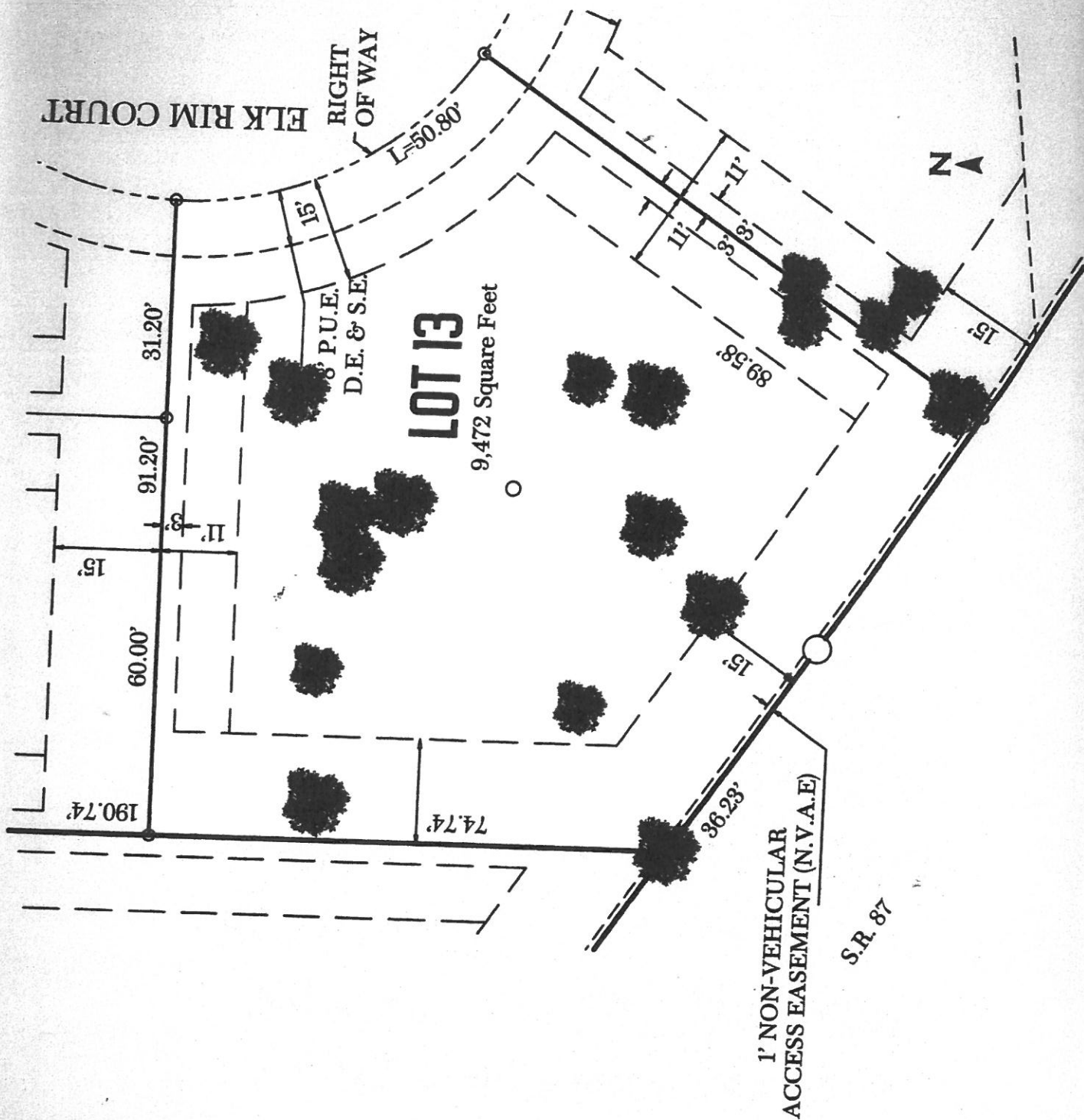
1' NON-VEHICULAR
ACCESS EASEMENT (N.V.A.E.)

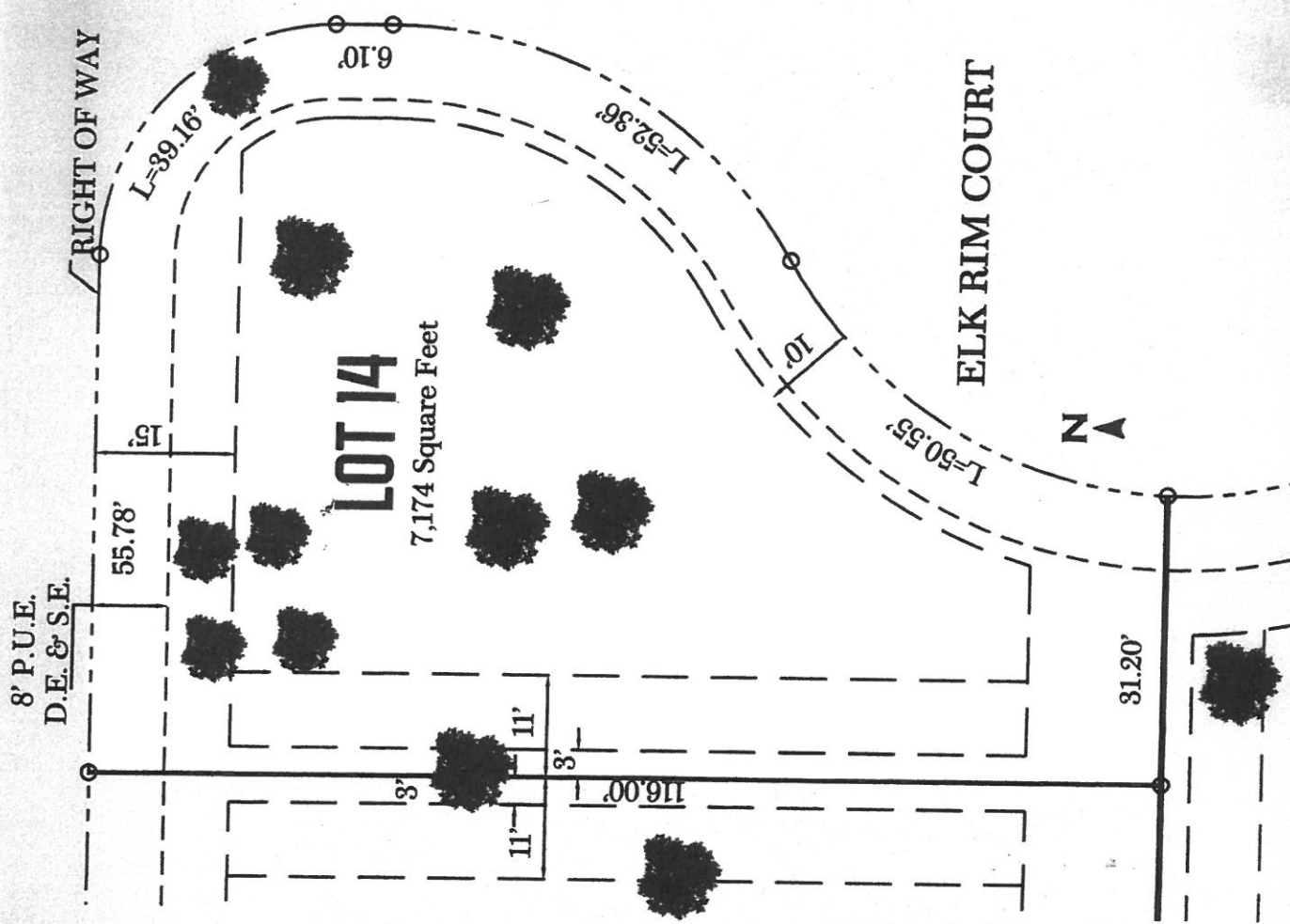


Z 

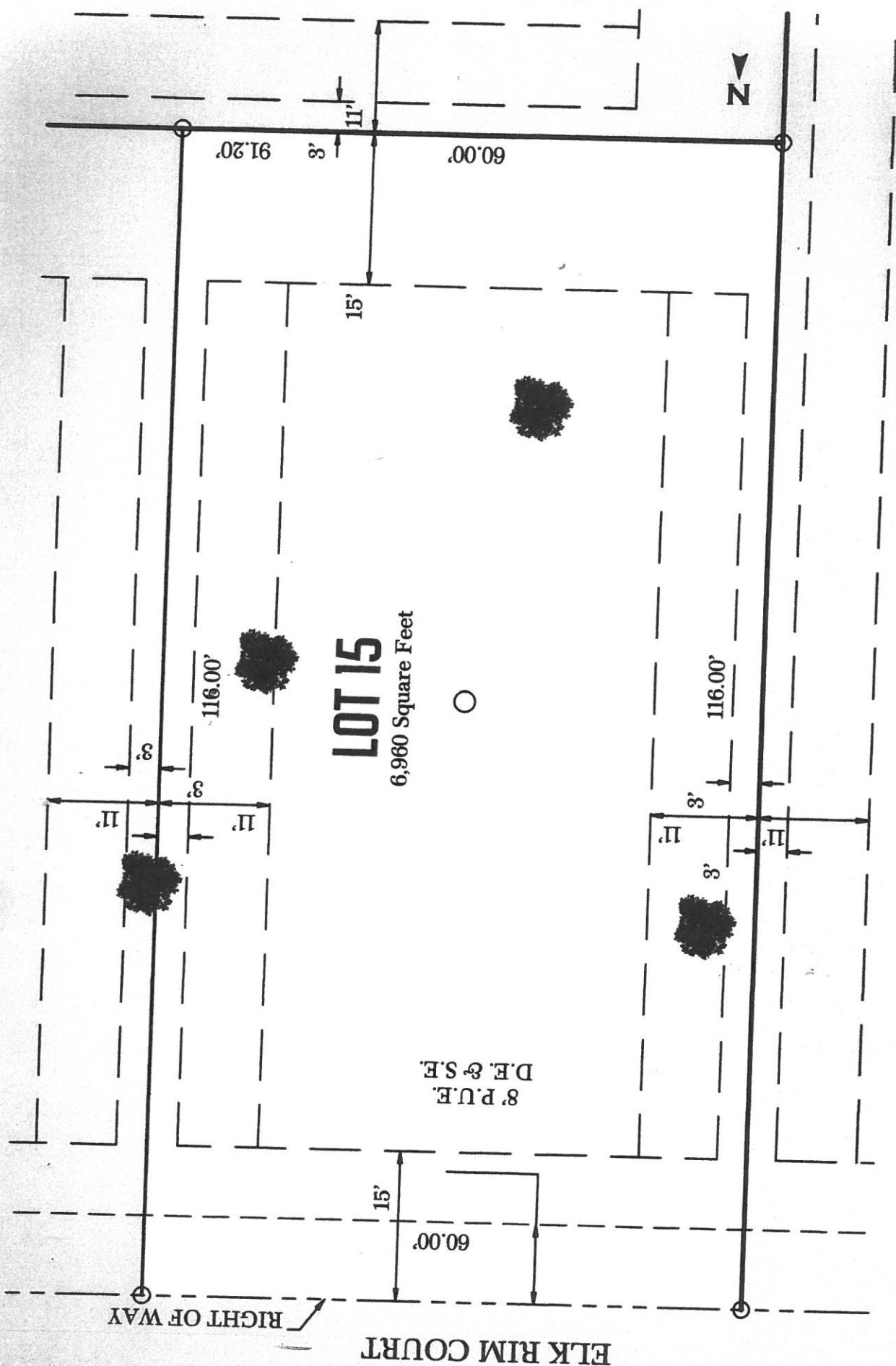
**1' NON-VEHICULAR
ACCESS EASEMENT (N.V.A.E.)**

Z 





72



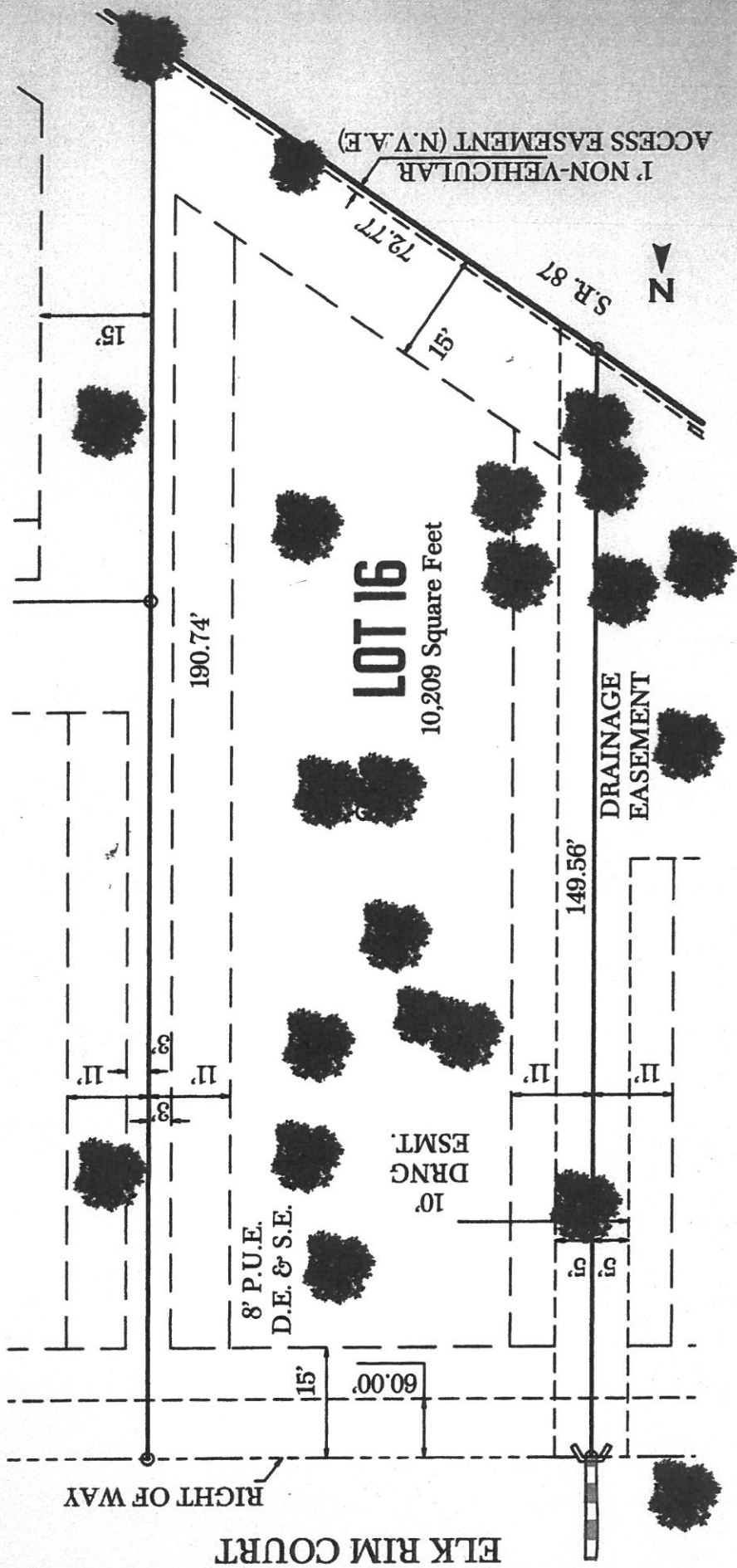
ELK RIM COURT

RIGHT OF WAY

LOT 15
6,960 Square Feet

8' P.U.E.
D.E. & S.E.

N



ELK RIM COURT

RIGHT OF WAY

60.00'

15'

8' P.U.E.
D.E. & S.E.

5' 5"

11'

149.58'

LOT 17

7,738 Square Feet

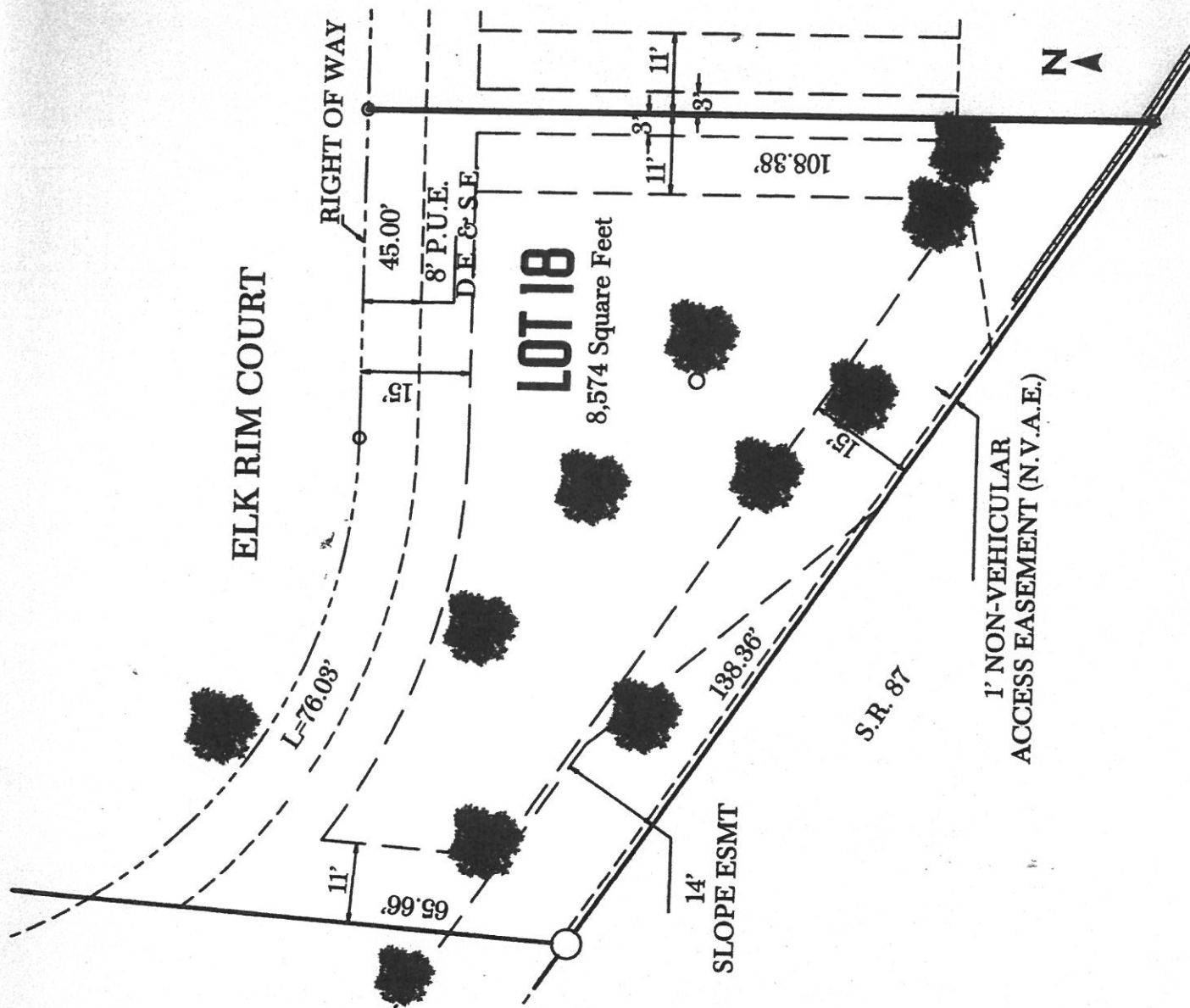
DRAINAGE
EASEMENT

S.R. 87
72.77'

1' NON-VEHICULAR
ACCESS EASEMENT

N

62



PT W 1/2 SECTION 25 AND PT E 1/2 SECTION 26
T12N R8E

SEE MAP 301-69 1 of 4

THE PORTAL, PINE CREEK CANYON, UNIT IV
Gila County Recorded Plats 657 thru 657B
Gila County Recorded Plats 709 thru 709A

301-69
4 of 4
CODE 1274
UPDATED 11-20-12

①

SEE MAP 301-69 2 of 4

SEE MAP 301-14
5 of 5

SEE MAP 301-69 3 of 4

SEE MAP 301-12

SEE MAP 301-56
CYPRUS HILLS

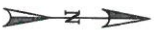
SEE MAP 301-12

REPLAT OF TRACT 'B' PORTAL, PINE CREEK CANYON, UNIT IV
Gila County Recorded Plats 729A & 729B
(From tax parcel 301-69-183 Tract 'B')

FOR INFORMATION ONLY, NO LIABILITY ASSURED.

GILA COUNTY ASSESSOR

SCALE = 1" = 100'
(C) - CALCULATED
(R) - RECORDED



SEE MAP 301-14
2 of 3

300 foot radius properties
Applicant 301-69-196 +
301-69-197

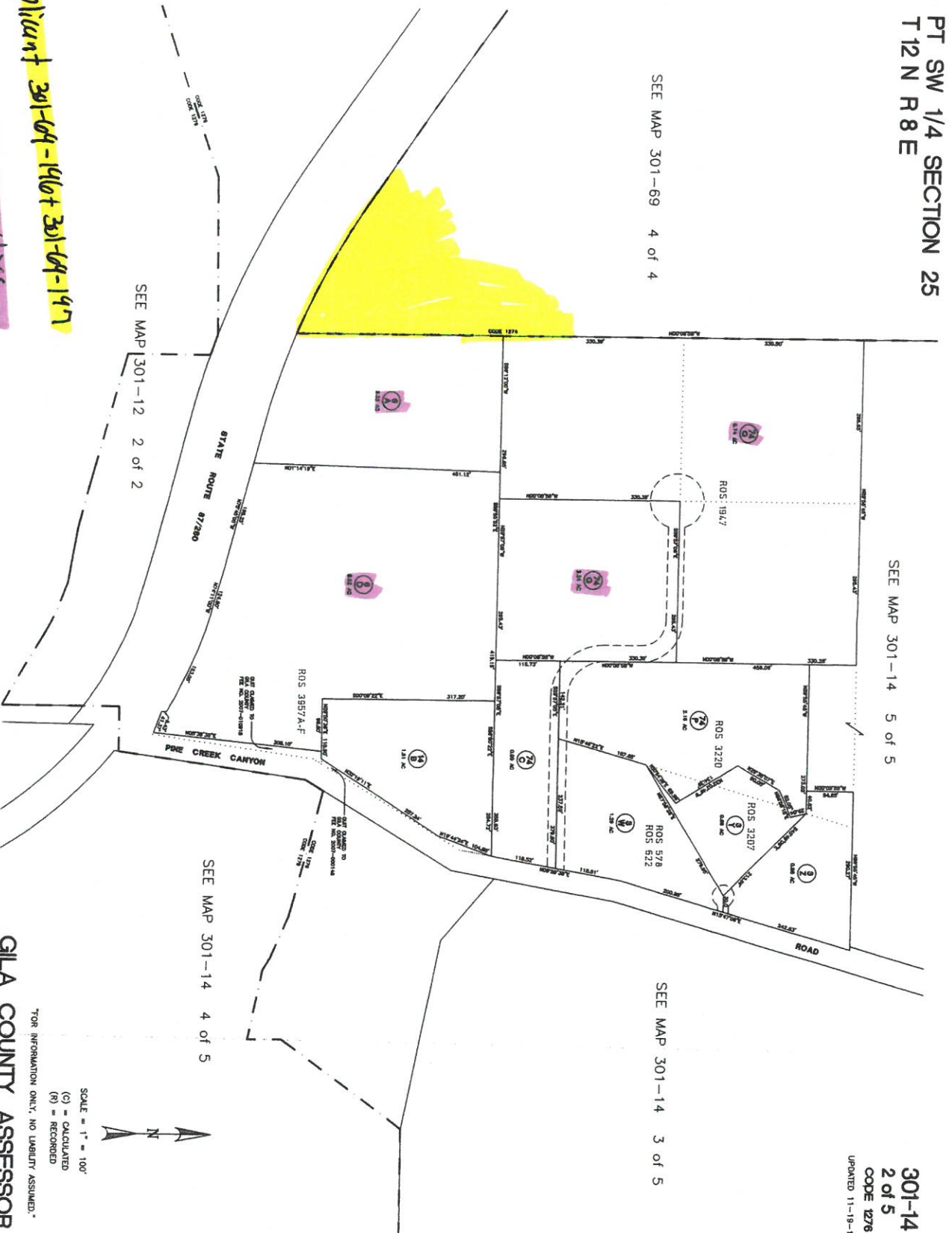
PT SW 1/4 SECTION 25
T12N R8E

SEE MAP 301-14 5 of 5

301-14
2 of 5
CODE 1276
UPDATED 11-19-12

SEE MAP 301-69 4 of 4

SEE MAP 301-14 3 of 5



Applicant 301-69-146 + 301-69-147
300 foot Radius Properties

32

PT S 1/2 SECTION 25
T12N R8E

SEE MAP 301-12
1 of 2

SEE MAP 301-69 4 of 4

Applicant 301-64-196 + 301-64-197 301-12
300 foot radius properties
CODE 1274
1276
1279
UPDATED 7-10-17

(3)

SEE MAP 301-16

SEE MAP 301-56

SEE MAP 301-19
3 of 4

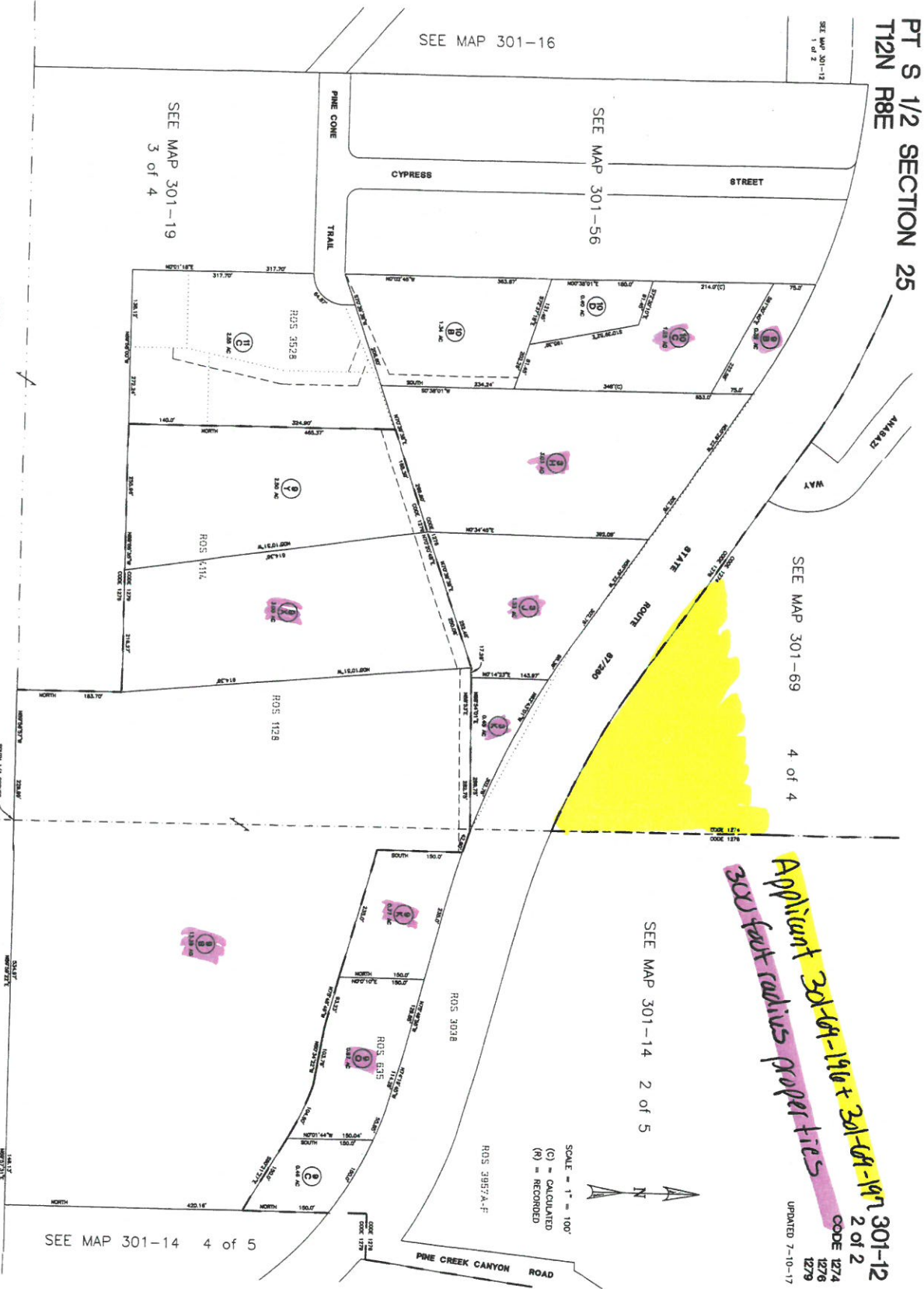
SEE MAP 301-19
3 of 4

SEE MAP 301-19
4 of 4

GILA COUNTY ASSESSOR

FOR INFORMATION ONLY, NO LIABILITY ASSURED.

SEE MAP 301-14 4 of 5



Javelina Sky Development, LLC
PO Box 1195
Pine, AZ 85544

Pine Creek Canyon Water Improvement
Dist.
PO Box 945
Pine, AZ 85544

Thomas & Sherry Jessup
98290 Tuttle Lane
Brookings, OR 97415

Bryan Normandin Trustee/Living Trust
4157 W. Orchid Lane
Chandler, AZ 85226

Portal IV Homeowners Association, Inc
14100 N. 83rd Ave.
Ste. 200
Peoria, AZ 85381

Samuel & Autumn Kinzer
PO Box 2042
Payson, AZ 85541

Mark & Kelly Bosak
5526 N. 130th Ave
Litchfield Park, AZ 85340

Luke Howard-Vesci
3261 Via Marin
La Jolla, CA 92037

Douglas & Connie Stover Trustees
Stover Family Revocable Trust
PO Box 30
Pine, AZ 85544

Celestino & Karen Tapia
12403 W. Palo Brea Lane
Peoria, AZ 85383

John & Alonna Randall Trustees
Randall Family Living Trust
2174 E. Balboa Drive
Tempe, AZ 85282

Church of Latter Day Saints
C/O Tax Adm Div 517-3779
50 E. N. Temple Rm 2225
Salt Lake City, UT 84150

Peggy Randall Trustee/Trust
PO Box 4
Pine, AZ 85544

Shawn & Debbie Lawrence
Trustee/Trust
11091 W. Timberline Drive
Sun City, AZ 85351

BKS Investments, LLC
PO Box 5125
Peoria, AZ 85385

Terry Davis
819 Country Club Lane
Onalaska, WI 54650

Lawrence Cook
1209 N. Woodburne Drive
Chandler, AZ 85224

Claude & Tammy Randall
318 W. Aero
Payson, AZ 85541

Gary & Krista Lovetro Trustees
GKL Family Trust
PO Box 350
Pine, AZ 85544

Chaney Development, LLC
PO Box 1976
Pine, AZ 85544

*mailed
5/11/18*

POSTING CERTIFICATE

File Number & Name

U-18-01 Javelina Sky Development, LLC

Meeting of: ☐ P & Z Commission ☐ Board of Supervisors ☒ Board of Adjustment & Appeals

Meeting Date: 5/17/18

Number of Postings: 3

Date to be Posted: 5/2/18

Date Posted: 5/2/18

Location:

1. Public Works Admin Bldg.
2. Gila County Courthouse
3. Gila County Complex (per Cheryl Stryker)
4. _____
5. _____

By: _____

John Beum

POSTING INSTRUCTIONS (Per Par. A, A.R.S. Sec. 11-814)

Posting is to be no less than two places with at one notice for each ¼ mile of frontage along perimeter public rights-of-way, so notices are visible from the nearest public right-of-way.

ZONING HEARING GILA COUNTY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Gila County Board of Adjustment will hold a public hearing on Thursday, May 17, 2018 beginning at 9:00 A.M. The hearing will take place in the Community Development Conference Room, located at 745 N. Rose Mofford Way, Globe, AZ and will be simultaneously telecast to the Board of Supervisor's Conference Room at 610 E. State Hwy 260, Payson, AZ.

Variance Hearing:

V-18-01 Javelina Sky Development LLC/Woodshire at Elk Rim LLC : Request to obtain an area wide variance for front, side, and rear setbacks for the recently recorded Elk Rim Subdivision in Pine, Arizona. Due to topographic and lot configuration issues the applicant finds the need to become creative with locating homes within this subdivision. With the approval of this area wide variance, the applicant will ensure that a minimum of 10 feet will be maintained between housing units. Side setbacks shall maintain a minimum total setback of 10 feet for both sides and any one setback shall not be less than 3 feet from the side property line. Subject property is located at APN numbers 301-69-196 and 301-69-197 in Pine, Arizona and is currently zoned TR.

Interested persons may file a statement in writing for or against or appear and be heard at the date set forth. Citizens can also mail their statements to the addresses below.

Information on the above mentioned case is available for review in the Gila County Community Development Department located at 745 N. Rose Mofford Way, Globe, AZ or 608 E. Hwy 260, Payson, AZ during normal business hours. Comments can also be sent to rgould@gilacountyaz.gov or (928) 402-8514.

DATED AND POSTED this 2nd Day of May, 2018.

Gila County Board of Adjustment



Robert A. Gould

Gila County Community Development

PENALTY FOR DEFACING POSTER PRIOR TO DATE OF HEARING

POSTING CERTIFICATE

File Number & Name (Terry Gorton)
U-18-01 Javelina Sky Development, LLC

Elk Rim Subdivision
APN # 301-69-196
301-69-197

Meeting of: ☐ P & Z Commission ☐ Board of Supervisors ☒ Board of Adjustment & Appeals

Meeting Date: 5/17/18

Number of Postings: 3

Date to be Posted: by 5/2/18

Date Posted: 5-2-18

Location:

1. Posted at subject site entrance on tree 6373 Rin Hill Loop
2. Posted at Pull off on Hwy 87 North side of Pine approx 1/4 mile from site
3. Posted on tree in easement on Hwy 87 at Mormon Church parking lot area
4. _____
5. _____

By: Dan Lohr

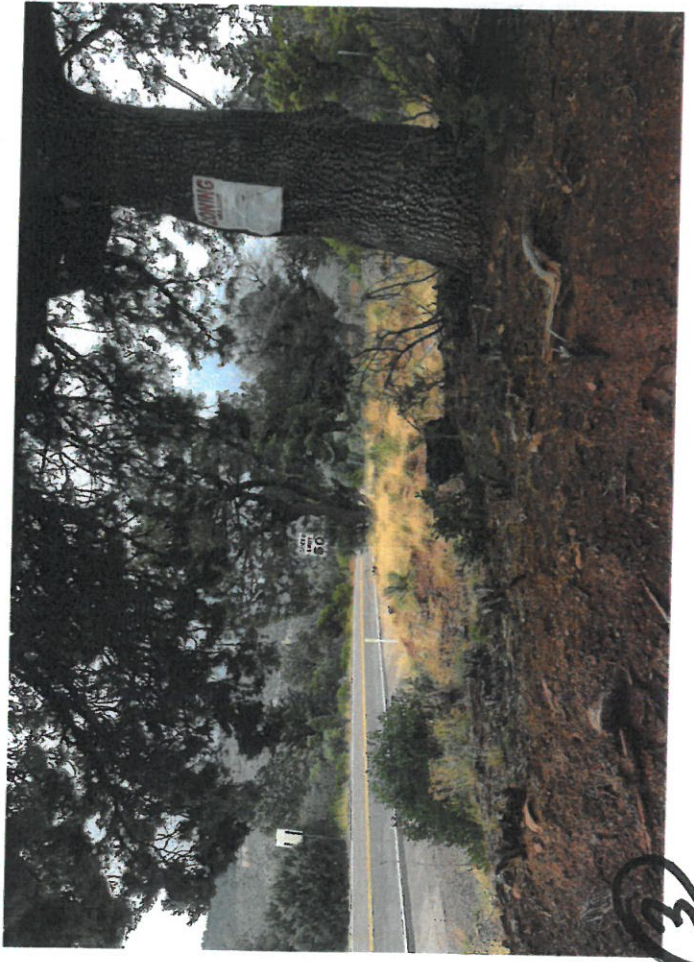
POSTING INSTRUCTIONS (Per Par. A, A.R.S. Sec. 11-814)

Posting is to be no less than two places with at one notice for each ¼ mile of frontage along perimeter public rights-of-way, so notices are visible from the nearest public right-of-way.

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301-69-196
301-69-197
U-18-01
5/2/18



Affidavit of Publication

State of Arizona County of Gila

Sherri J. Davis, or her authorized representative being first duly sworn deposes and says: That she is the Publisher of the Arizona Silver Belt and the San Carlos Apache Moccasin newspapers, located at 298 North Pine Street, Globe, Arizona 85501, or mail: P.O. Box 31, Globe, Arizona 85502.

The above stated newspapers are published weekly in Globe, in the State of Arizona, County of Gila and that the following described ✓ legal, or advertising was duly published.

LEGAL NOTICE

GILA COUNTY BOARD OF ADJUSTMENT

NOTICE IS HEREBY GIVEN that the Gila County Board of Adjustment will hold a public hearing on Thursday, May 2, 2018 beginning at 9:00 A.M. The hearing will take place in the Community Development Conference Room, located at 745 N. Rose Mofford Way, Globe, AZ and will be simultaneously telecast to the Board of Supervisor's Conference Room at 610 E. State Hwy 260, Payson, AZ.

Variance Hearing:

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By: _____

A printed copy of said legal or advertising is attached hereto and was published in a regular weekly edition of said newspaper (and not a supplement thereof) for 1 consecutive week in the ✓ Arizona Silver Belt, and/ or the San Carlos Apache Moccasin newspaper.

MAY 02, 2018

The dates of publication being as follows, to wit:

Sherri J. Davis

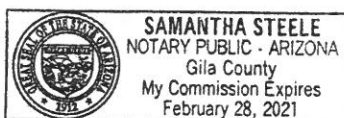
Sherri J. Davis
Publisher

State of Arizona)

) ss:

County of Gila)

The foregoing instrument was acknowledged before me **May 2, 2018**, by Sherri J. Davis.



Samantha Steele

Notary Public
My Commission Expires:

February 28, 2021

LEGAL NOTICE
GILA COUNTY BOARD OF
ADJUSTMENT

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By: _____

Robert Gould
Gila County Community Development
Arizona Silver Belt
Publication: May 2, 2018
Act: 101556
One pub:05-02-18
LE1359